IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

ALFRED THOMAS, III	§
	§
	§
Plaintiff,	§
	§ C. A. No. <u>4:13-cv-01675</u>
v.	§
	§
POLY-AMERICA, L.P.	§
	§
	§ (Jury Demanded)
Defendant.	§

PLAINTIFF'S MOTION TO NONSUIT

TO THE HONORABLE JUDGE:

COMES NOW Plaintiff, Alfred Thomas, III, and files this, his Motion to Nonsuit.

Plaintiff filed causes of action against Poly-America, L.P pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et seq. and the American With Disabilities Act, as amended, 42 U.S.C. §§ 12101, et seq. ("ADA") alleging employment discrimination based on race and a perceived disability. Plaintiff also filed a cause of action for retaliation. Plaintiff no longer desires to pursue his claims against Defendant and requests that the Court sign an Order of Nonsuit dismissing all claims that were brought against Defendant in this suit.

WHEREFORE, premises considered, Plaintiff, Alfred Thomas, III, requests that his claims against Defendant be dismissed without prejudice to re-file the same and that each party bear its own costs.

Respectfully submitted,

JOHNSON LAW FIRM

/s/Nikeyla Johnson
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CERTIFICATE OF SERVICE

On September 4, 2013, I electronically submitted the foregoing document to the clerk of the United States District Court for the Southern District of Texas using the electronic case filing system. I hereby certify that I have served the following all counsel of record electronically or in another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

<u>/s/Nikeyla Johnson</u>
Nikeyla Johnson

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